

Michael Schmidt

Chairperson
Jack Abbott

Alderperson Roger Smith Alderperson CITY OF MAYVILLE PERSONNEL COMMITTEE OF THE WHOLE MEETING AGENDA MONDAY, JUNE 26, 2023 – IMMEDIATELY FOLLOWING PUBLIC SAFETY COMMITTEE CITY HALL

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES

- 1. Approval of May 22, 2023 Personnel Committee Minutes
- 2. Approval of May 30, 2023 Special Personnel Committee of the Whole Minutes

3. CITIZEN COMMENTS

Citizen Comments are to be kept to a maximum of five minutes per speaker unless the chairperson allows an extension of time. Each citizen is to make comments at the podium after stating name and address. Each citizen may comment only one time per public hearing / meeting.

4. ITEMS OF DISCUSSION/POSSIBLE ACTION

- 1. Update on Status of Applicants for the Comptroller/Treasurer Opening
- 2. Discuss, with Possible Action, Recruitment Options for Comptroller/Treasurer Opening
- 3. Discuss, with Possible Action, Adopting a Code of Conduct for Elected Officials
- 4. Discuss, with Possible Action, Creating Policy Requiring Newly Elected Officials to Attend League of Wisconsin Municipalities' Local Government 101 Training
- 5. Discuss, with Possible Action, Recruitment Options for TAG Center Lifeguards

5. ADJOURNMENT

Michael Schmidt Chairperson

NOTE: Persons with disabilities requiring special accommodations for attendance at the meeting should contact City Hall at least one (1) business day prior to the meeting.

The meeting was called to order at 6:46 PM by Chairperson Michael Schmidt with the following roll call:

Attendee Name	Title	Status	Arrived
Michael Schmidt	Chairperson	Present	
Jack Abbott	Alderperson	Present	
Roger Smith	Alderperson	Present	

Also present were Alderpersons Olson, Tillmann, and Neumann, Mayor Guinn, Comptroller/Treasurer Runde, and City Clerk Anastasia Gonstead.

APPROVAL OF MINUTES

Approval of April 24, 2023 Personnel Committee Meeting Minutes

No discussion. Motion to approve carries, 3-0.

RESULT: APPROVED [UNANIMOUS]
MOVER: Roger Smith, Alderperson
SECONDER: Jack Abbott, Alderperson
AYES: Schmidt, Abbott, Smith

CITIZEN COMMENTS

None.

ITEMS OF DISCUSSION/POSSIBLE ACTION

<u>Discuss</u>, with Possible Action, the Resignation of the Comptroller/Treasurer, Next Steps for Replacement and/or Restructure, and Timeline Involved

Mayor Guinn explains that Comptroller/Treasurer Runde has tendered resignation and has now provided two-weeks notice, officially. Discussions on best approach for stabilizing and structure. An idea that has come up is to have a City Administrator. Advantages if they also had an engineering background, but it is unknown if we can find that. Thinks engineering could come back in-house, as the City is spending over \$100k each year in engineering.

Mayor Guinn explains we have to keep payroll going, and that Comptroller/Treasurer Runde will help guide us through it, with the holiday it will be a challenge. The City needs to post for Comptroller/Treasurer. The City will be at a disadvantage in this search, with the negative PR for treatment of employees, it challenge to get someone to come to Mayville. We could leverage Sikich for staff augmentation to keep things moving, they can help identify process improvements, checklists, procedures, those things we have been talking for the last few months. Mayor Guinn stated he would ask the Council to entertain quote from Sikich. Ask to have Council post the job. MSA could help us, could appoint an interim Comptroller/Treasurer to allow time to recruit someone to stay in the job.

Alderperson Smith inquired if we have any cost estimates and how to structure the interim. Mayor Guinn stated he would get a proposal from Sikich.

Comptroller/Treasurer Runde provides handouts, did some research regarding open positions for both City Administrator and Comptroller/Treasurer positions from similar places around the state. The goal of this is to help provide a better idea of what they are trying to staff. Comptroller/Treasurer Runde goes on to explain one of the things we have talked about since she has been here, is it is apparent Mayville is missing a City Administrator. Mayville will continue to struggle with restructure until they get proper staffing in place. City Administrators tend to come from administrative, finance, engineer roles. One person cannot do City Administrator and Comptroller/Treasurer in one person, that's more than 40-50 hrs/wk. If you look at the budget for what Mayville currently has for the Comptroller/Treasurer position, plus what is spend for outsourcing, believes the City could post for City Administrator and Comptroller/Treasurer and see what you get. explained the field is very competitive right now. Aldperson Smith thanked Comptroller/Treasurer Runde for the information. Alderperson Schmidt thanked Comptroller/Treasurer Runde for keeping the City together during her term here. He further expressed we will miss Comptroller/Treasurer Runder. Alderperson Schmidt stated the Council is going to have to have a special meeting somewhere along the line. He also expressed that a City Administrator is expensive, and that it will be a hunt for a good Comptroller/Treasurer.

Alderpson Abbot inquired how much as been spent in outsourcing for our engineering needs. Mayor Guinn stated engineering in-house/city admin can both help source funding. He explained the City has lost funds, missed out on funds. These positions can help find some of this funding, it saves money that way. Mayor Guinn provided an example of missed funding, lost principal forgiveness with the Bridge Street project. He explained the Council needs to look at those gains as well, not just the

cost of this position to the City.

Discussion was had to determine a special meeting date and time: Tuesday, May 30th, 6PM. Job description for posting the Comptroller/Treasurer position and Sikich

proposal.

Alderperson Olson inquired of Mayor Guinn as to why he wants to use Sikich. Mayor Guinn explained it's one of two options he knows of for interim staff augmentation. As well as being an immediate fix to keep lights on while we find someone. Alderperson Abbott inquired if there are places that help fill these positions. Mayor Guinn stated they have those options. Alderperson Olson inquired if Baker Tilly could be one of those options. Mayor Guinn explained they no longer have those functions.

No further action/discussion on this matter.

Discuss, with Possible Action, Necessary Changes to Phone System for Remote Work Capability

City Clerk Gonstead reiterated the history on this agenda item, that our phones currently do not have the capabilities to use the voicemail-to-email function, as well as some other features, however, they are working for regular day-to-day business matters. Explained they are aging, but not of immediate concern. Also explained our IT contact had indicated they have the ability to offer phones, possible option to look into in the further.

Discussion was that in the future they will need to get request for bids from various vendors, then bring back for consideration, but until we have having substantial issues with the phones, this matter would be tabled.

RESULT: WITHDRAWN

Discuss, with Possible Action, Updating the Employee Handbook

Motion to table this matter to the July Personnel Committee meeting. Motion carries, 3-0.

RESULT:

TABLED [UNANIMOUS]

Next: 7/24/2023 6:00 PM

MOVER: SECONDER: Jack Abbott, Alderperson Roger Smith, Alderperson

AYES:

Schmidt, Abbott, Smith

ADJOURNMENT

Motion by Alderperson Schmidt to adjourn at 7:06 PM, second by Alderperson Abbott. Motion carries, 3-0. Meeting adjourned at 7:06PM.

Anastasia Gonstead, City Clerk

The meeting was called to order at 8:18 PM by Mayor John Guinn with the following roll call:

Attendee Name	Title	Status	Arrived
Michael Schmidt	Chairperson	Present	
Jack Abbott	Alderperson	Absent	
Roger Smith	Alderperson	Present	
Kim Olson	Alderperson	Present	
Kenneth Neumann	Alderperson	Present	
Joseph Tillmann	Alderperson	Present	

Also present were Mayor John Guinn and City Clerk Anastasia Gonstead. Special Personnel Committee Meeting of the Whole called to order at 8:18 PM by Mayor John Guinn.

CITIZEN COMMENTS

None.

CLOSED SESSION

Convene into Closed Session Pursuant to Section 19.85(1)(C) Considering Employment, Promotion, or Performance Evaluation Data of Any Public Employee Over Which the Governmental Body has Jurisdiction or Exercises Responsibility

Motion to move into closed session by Alderperson Olson, second by Alderperson Schmidt. Motion carries, 5-0.

RESULT:

APPROVED [UNANIMOUS]

MOVER:

Kim Olson, Alderperson

SECONDER:

Michael Schmidt, Chairperson

AYES:

Schmidt, Smith, Olson, Neumann, Tillmann

ABSENT:

Abbott

Individiual Interviews of Deputy Clerk Candidates

Council interview of Deputy Clerk Candidate, Christine Coulter, performed in closed session.

Reconvene into Open Session With Possible Action

Motion made by Alderperson Olson to offer the position of Deputy Clerk to Christine Coulter, to offer the position at \$21.00/hour for adding human resources and payroll duties onto the position, six days of vacation to start. Job offer is contingent upon passing a background check and drug test. Second by Alderperson Smith. No discussion.

Roll vote:

Alderperson Olson - Aye/Yes

Alderperson Smith - Aye/Yes

Alderperson Neumann - Aye/Yes

Alderperson Schmidt - Aye/Yes

Alderperson Tillmann - Aye/Yes

RESULT: APPROVED [UNANIMOUS]

MOVER: Kim Olson, Alderperson SECONDER: Roger Smith, Alderperson

AYES: Schmidt, Smith, Olson, Neumann, Tillmann

ABSENT: Abbott

ADJOURNMENT

Motion to adjourn at 8:58PM by Alderperson Neumann, second by Alderperson Schmidt. Motion carries, 5-0. Meeting adjourned at 8:58PM.

Anastasia Gonstead, City Clerk

RESOLUTION No. 16549 ACCEPTING THE NINE TOOLS OF CIVILITY

Whereas, the residents of Ashland place a high value of respect and civility in their lives and they understand that their characteristics are essential to any healthy community, and;

Whereas, the Ashland City Council supports opportunities for civil discourse and discussion in the community, and;

Whereas, the Ashland City Council addresses sometimes controversial issues about which people often feel passionately-which at times leads to uncivil behavior, and;

Whereas, an atmosphere of incivility and disrespect can have a damaging effect on the proceedings, on the quality of debate, and on the practice of democracy itself.

Therefore, Be It Resolved that the Ashland City Council recognizes nine tools of civility that will provide increased opportunities for civil discourse in order to find positive resolutions to the issues that face our community. These tools include:

- 1. Pay Attention. Be aware and attend to the world and the people around you.
- 2. <u>Listen</u>. Focus on others in order to better understand their points of view.
- 3. <u>Be Inclusive</u>. Welcome all groups of citizens working for the greater good of the community.
- 4. Don't Gossip. And don't accept when others choose to do so.
- 5. Show Respect. Honor other people and their opinions, especially in the midst of a disagreement.
- 6. Be Agreeable. Look for opportunities to agree; don't contradict just to do so.
- 7. Apologize. Be sincere and repair damaged relationships.
- 8. <u>Give Constructive Criticism</u>. When disagreeing, stick to the issues and don't make a personal attack.
- 9. <u>Take Responsibility</u>. Don't shift responsibility and blame onto others; share disagreements publicly.

Be it further resolved, that the Ashland City Council shall promote the use and adherence of these tools in conducting the business of the City of Ashland.



CITY OF COLUMBUS

105 N. DICKASON BOULEVARD COLUMBUS, WISCONSIN 53925-1565 PHONE: 920.623.5900 FAX 920.623.5901 www.cityofcolumbuswi.com

To:

All Columbus Board, Committee and Commission Chairs

Date: February 23, 2022

From: Mayor Mary Arnold

Re:

City of Columbus Code of Conduct

You are receiving this memo because you are Chair of a City of Columbus board, committee or commission. On February 16, 2022, the Council adopted a Code of Conduct for all elected officials and volunteer board, committee, and commission members.

The attached Code of Conduct was written to provide guidelines for all elected officials and volunteer members to follow. These guidelines help to ensure we are providing effective and community focused leadership.

Please review the code of conduct with your board, committee or commission members. Each volunteer must sign and date the document. If a member chooses not to sign the Code of Conduct, he or she will not be able to continue to serve the City. The Code of Conduct must be completed and returned to the City Clerk no later than March 31, 2022.

All questions or completed documents can be directed to City Clerk, Pat Goebel at City Hall or via email at pgoebel@columbuswi.us.

City of Columbus

Code of Conduct for Elected and Appointed Officials

Section 1. Purpose statement.

The City of Columbus Common Council ("Council") adopts this Code of Conduct to ensure that all elected and appointed officials, while exercising their office, conduct themselves in a manner that will instill public confidence and trust in the fair operation and integrity of Columbus City government.

In serving the City, each Council member and appointed official agrees to recognize the positive contributions of each Council member, committee and commission member, and City staff. Each elected and appointed official agrees to seek ways to turn obstacles into opportunities in order to best serve the City residents, businesses and visitors. The principles set forth in this Code of Conduct shall guide how the elected and appointed officials of the City of Columbus conduct their business.

Section 2. Open Communication.

The members of the Common Council, and all Commission, Committee and Board (collectively "Commission") members are committed to communication that promotes openness, trust and understanding of the various perspectives of the Council, Commission and City staff members. In creating open communication:

- A. We believe the most effective communication requires high levels of trust.
- **B.** We will communicate openly and provide each other with constructive feedback.
- C. We will establish and maintain open channels of formal and informal communication with all members of the Council and City staff.
- D. We will be honest and direct with each other and will replace rumors with facts. Criticism of individuals working for or with the City will not be communicated personally to them but will be directed to the Mayor, the Council President or City Administrator for further action.

- E. Dissatisfaction with other Council or Commission members, City staff or employees will not be aired at public meetings or in the media, social media and other public forums.
- **F.** We will not use the media, including social media, for our own personal agendas regarding City matters.
- G. Information permitted by statute to be discussed in closed session and so discussed shall remain confidential. Sharing of such information with unauthorized persons at any time is unacceptable, a possible violation of law, and may be subject to the sanctions as set forth below or as set forth in the City Ethics Code.
- H. Information pertinent to Council or Commission business will be shared with all members of the Council or Commission in a timely manner.

Section 3. Quality Interaction.

The Common Council and each Commission is responsible for quality interaction with each other as team members. Conflict is a natural and inevitable feature of working together. The management of conflict is an opportunity to improve the quality of our interactions and relationships. In understanding this statement, we agree that:

- **A.** We are each accountable for our own actions.
- **B.** We acknowledge that our actions reflect on the entire Council or Commission and the City as a whole.
- C. We will remain receptive to divergent views of other Council or Commission members.
- **D.** We will not speak negatively about another Council or Commission member behind his/her back.
- **E.** We will work to influence one another directly and in supportive ways.
- F. Should concerns about another Council or Commission member arise, the person with the concern will privately share his/her views with the individual. If a resolution is not reached between the two members, the Council President or Commission Chair will assist in resolving the concern. If the matter is still not resolved, the Mayor will be consulted.

Section 4. Use of Media and Social Media.

The Common Council and Commission members may choose to use media tools to facilitate constituent outreach and interactive information sharing. Media and social media include, but are not limited to, blogs, chat rooms, online forums, personal websites, social media, social networking sites, websites and Wiki. When using media and social medial we agree to:

- A. Use personal social media sites in conformance with and consistent with applicable state, federal and local laws, regulations and policies including City information technology security policies. This includes any applicable public records laws and record retention time periods.
- **B.** Not blur or combine personal or professional lives when operating a social media site for the City or for their District.
- C. Harassment and discrimination of any type is not allowed.
- D. Council and Commission members using social media to communicate should be mindful that individuals who view such communication may believe any statements made are on behalf of the City; therefore, Council and Commission members should use discretion before posting, commenting or liking posts. Once these posts or comments are made, they can be seen by anyone and may not be able to be "taken back."
- E. Communication should include no form of profanity, obscenity, or copyright violations. Likewise, confidential, or nonpublic information should not be shared.
- F. Council and Commission members should have no expectation of privacy while using the internet on any City system or facility, and should be mindful of the requirements of the Wisconsin Open Records law.
- G. The City reserves the right to actively monitor current content, as well as past content of all media and social media content of Council and Commission members as it pertains to City business.
- H. When operating personal social media sites, Council and Commission members should use a disclaimer to ensure that stated views and opinions are not that of the City. A disclaimer is required when:

Referring to work done by the City;
Commenting on any City related matter;
Reposting comments made by others regarding City matters;
Providing a hyperlink to the City website;
Creating or referencing forums on City related topics;
Examples include but are not limited to Twitter hashtags or Facebook groups.

I. Council or Commission members should not make comments that are threatening, slanderous or detrimental to other Council or Commission members, City staff, the City as a whole or anyone doing business with or associated with the City.

Section 5. Decision-Making.

The Common Council and all Commissions are committed to using the following guidelines for decision-making:

- **A.** Allow time for reflection throughout the process.
- **B.** Gather all pertinent facts concerning the situation.
- C. Provide opportunity for input from persons affected by the decision.
- **D.** Organize and analyze the collected data.
- **E.** Encourage the consideration of multiple solutions.
- F. Make a timely decision.
- **G.** Provide a plan to implement the decision.
- H. Communicate the decision to those affected.
- I. Support the decision and its effective implementation.
- **J.** Evaluate the decision in terms of its effectiveness.

Section 6. Handling Public Concerns.

Council and Commission members will handle public concerns of both individuals and groups in tactful, orderly and effective ways. In addressing public concerns, members will:

- A. Listen to the concern.
- **B.** Express appreciation to the individual for presenting the concern.
- C. Ask if the issue has been brought to the attention of the City Administrator.
- **D.** Affirm the desire to reach a satisfactory solution through the appropriate channels.
- **E.** Assure the person or group that the City Administrator will be informed of the concern if requested and when appropriate.
- **F.** Ask the person to report back on the progress or resolution of the concern, if appropriate.

Section 7. Council or Commission Members Request for Information.

The Council will handle Council concerns in a tactful, orderly and effective way. In order to accomplish this, the members of the Council will:

- A. A request for information from a member of the Council will be presented verbally or in writing to the City Administrator. If possible, the Administrator will either provide the information or delegate it to the appropriate staff member. If the Administrator determines the information requested is not appropriate for Council consideration, the Mayor and the Council President will be consulted to affirm the Administrator's decision. If the Mayor, the Council President, and the City Administrator concur, the Administrator will then communicate to the Alder that the information will not be provided.
- B. When addressing a request for information as a Commission Chair or member of a commission, taskforce, or similar body, the request may be directed to the appropriate commission staff. If the information is easily available, it will be provided. If the information is difficult to provide or if staff is concerned with the request for any reason, the request will be forwarded to the City Administrator. From this that point forward, the request will be handled the same as a request for information from a Council member.
- C. Members shall respect and adhere to the council-Administrator structure of Columbus City government as outlined in City Code. In this structure, the City

Council determines the policies of the City with the advice, information and analysis provided by City staff, Commissions, and the public. Except as provided by the City Code, members shall not interfere with the administrative functions of the City or the professional duties of City staff; nor shall they impair the ability of staff to implement Council policy decisions. Any Council directives to staff will be accomplished through the City Administrator's office. Such directives will be obtained through action and consensus at publicly posted meetings unless otherwise provided by City code or state statute.

Section 8. Council and Commission Meetings.

Elected and appointed officials are individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even though individuals may not agree on every issue. The Council and all Commissions strive to conduct its meetings in an open and orderly fashion. In order to conduct meetings in this manner:

- A. Council and COW meeting agendas are developed cooperatively between the Mayor, the Council President, and the City Administrator, with input from others.
- **B.** Committee meeting agendas are similarly developed between the Committee Chair and the assigned Department Head.
- C. Agendas are distributed in advance to encourage informal discussion with the City Administrator and/or Department Heads. To the extent possible, questions will be raised as early as possible to provide the staff the opportunity to fully respond.
- **D.** Surprises at meetings are counter-productive and should not occur.
- E. Any changes in the prepared agenda for Council/COW meetings will be mutually determined by the Mayor, the Council President, and the City Administrator prior to the meeting.
- F. Members are certainly free to cast a dissenting vote on any issue. Out of respect for our colleagues, members should feel free to identify why the member cast a dissenting vote on an issue.
- G. The Council values citizen input and will provide a forum for such input at each meeting. We will encourage individuals/groups to attend Council meetings to better understand how decisions are made.

- H. Members shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. All phones and devices should be silenced to prevent distraction or disturbance. The use of any such device to research or provide information at any meeting is discouraged.
- I. Attending meetings is an integral and vital part of being an effective elected or appointed official. All elected and appointed members shall strive to attend every meeting of the body to which they serve. Except in the case of emergency, a Council member shall give at least 24 hours advance notice to the Mayor and Clerk of their pending absence. A Commission member shall give at least 24 hours advance notice to the Chair of the Commission of their pending absence. Failure to give this notice will result in the member being declared unexcused for that meeting. If a member accrues three unexcused absences during any calendar year, that member may be subject to the sanctions set forth in Section 12 below or may be subject to removal pursuant to Section 17.13, Stats.
- J. All Council, Committee of Whole and Committee meetings shall strive to follow a reasonable interpretation of *Robert's Rules of Order*. The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor or Committee Chair, subject to the appeal to the full Council or Committee.
- K. Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations. When making adjudicative decisions (those decisions where the member is called upon to determine and apply facts to an individual case), members shall maintain an open mind until the conclusion of the hearing on the matter and shall base their decisions on the facts presented at the hearing and the law.
- L. Because of the value of the independent advice of Commissions to the public decision-making process, members of Council shall refrain from using their position to unduly influence the deliberations or outcomes of Commission proceedings.
- M. If a member is personally offended by the remarks of another member, the offended member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other member to justify or apologize for the language used. The chair will maintain control of this discussion.

Section 9. Elected and Appointed Officials Conduct with the Public in Public Meetings.

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual members toward any individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- A. Be welcoming to speakers and treat them with care and gentleness. While questions of clarification may be asked, the member's primary role during public comment is to listen.
- B. Be fair and equitable in allocating public hearing time to individual speakers. The chair may determine and announce any reasonable time limit on speakers at the start of the public comment or hearing process, if the chairperson deems it necessary.
- C. Practice active listening. It is disconcerting to speakers to have members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Members shall try to be conscious of facial expressions, and avoid those that could be interpreted as "smirking," disbelief, anger or boredom.
- **D.** Maintain an open mind. Members of the public deserve every opportunity to petition or influence elected and appointed officials at any publicly posted meeting under citizen comment.
- E. Ask for clarification, but avoid debate and argument with the public. Only the chair not individual members can interrupt a speaker during a presentation. However, a member can ask the chair for a point of order if the speaker is off the topic or exhibiting behavior or language the member finds disturbing.

Section 10. Elected and Appointed Officials' Conduct with City Staff.

Governance of the City relies on the cooperative efforts of elected officials, who set policy, appointed officials who advise the elected, and City staff who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

- A. Treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.
- B. Do not disrupt City staff from their jobs. Elected and appointed officials should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.
- C. Never publicly criticize an individual employee. Elected and appointed officials should never express personal opinion about the performance of any City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Administrator through private correspondence or conversation.
- **D.** Do not get involved in administrative functions. Elected and appointed officials acting in their individual capacity must not attempt to influence City staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.
- E. Do not solicit political support from staff. Elected and appointed officials should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.
- F. No Attorney-Client Relationship. Members shall not communicate directly with the City Attorney, including his or her staff and attorneys contracted to work on behalf of the City, without the approval of the City Administrator or Mayor. The City Attorney represents the City and not individual members or the Council or Commission. Members who consult with the City Attorney cannot expect any communications with the City Attorney to remain confidential.

Section 11. Ethics.

All citizens of Columbus are entitled to have fair, ethical and accountable local government. To this end, the public should have full confidence that their elected and appointed officials. Therefore, members of the City Council, and members of all Commissions shall conduct themselves in accordance with the following ethical standards:

A. Conduct public deliberations and processes openly, unless required by law to be confidential, in an atmosphere of respect and civility.

- **B.** Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of Columbus and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before them.
- C. Members shall comply with Federal laws, State Statutes of Wisconsin and all ordinance of City of Columbus in the performance of their public duties.
- D. The professional and personal conduct of members while exercising their office must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Commissions, the staff or public.
- E. No Council or Commission member shall take any official action substantially affecting a matter in which the Council or Commission member, a member of his or her immediate family, or an organization with which the Council or Commission member is associated, has a substantial financial interest. Further, no Council or Commission member shall use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the Council or Commission member, one or more members of the Council or Commission member's immediate family, either separately or together, or an organization with which the Council or Commission member is associated.
- F. Council and Commission members shall perform their duties in accordance with the processes and rules of order established by the City Council and shall comply with the City Code of Ethics as established by Ordinance.

Section 12. Sanctions.

- A. Acknowledgment of Code of Conduct. Council members who do not sign and acknowledge that they have read and understand this Code of Conduct shall be ineligible for intergovernmental assignments or Council subcommittees. Commission members who do not sign and acknowledge that they have read and understand this Code of Conduct are not eligible to hold office.
- **B.** Ethics Training for Local Officials. Council members and Commission members who are out of compliance with State or City mandated requirements for ethics training shall not represent the City on intergovernmental assignments or Council subcommittees, and may be subject to sanctions.

- C. Behavior and Conduct. The Columbus Code of Ethics and Code of Conduct express standards of ethical conduct expected for members of the Columbus City Council and Commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government. The chairperson of any Commission, the Mayor and Council President have the additional responsibility to intervene when actions of members that appear to be in violation of the Code of Ethics or Code of Conduct are brought to their attention.
- D. Council Members. Council members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the City of Columbus and with intergovernmental agencies) or other privileges afforded by the Council.

Individual Council members should point out to the offending Council member perceived infractions of the Code of Ethics or Code of Conduct. If the offenses continue, then the matter should be referred to the Mayor in private. If the Mayor is the individual whose actions are being questioned, then the matter should be referred to the Council President. It is the responsibility of the Mayor (or Council President) to initiate action if a Council member's behavior may warrant sanction. If no action is taken by the Mayor (or Council President), then the alleged violation(s) can be brought up with the full Council.

E. Board and Commission Members. Counseling, verbal reprimands and written warnings may be administered by the Mayor to Commission members failing to comply with the Code of Ethics or Code of Conduct. These lower levels of sanctions shall be kept private to the degree allowed by law. Copies of all written reprimands administered by the Mayor shall be distributed in memo format to the chair of the respective Commission, the City Clerk, and the City Administrator.

When deemed warranted, the Mayor or majority of Council may call for an investigation of Commission member conduct. Also, should the City Administrator or City Attorney believe an investigation is warranted, they shall confer with the Mayor or Council. The Mayor or Council shall ask the City Administrator or the City Attorney to investigate the allegation and report the findings.

The City Council may impose sanctions on Commission members whose conduct does not comply with the Code of Ethics or Code of Conduct, up to and including removal from office. Any form of discipline imposed by Council shall be determined by a majority vote of a quorum of the Council at a noticed public

meeting and such action shall be preceded by a Report to Council with supporting documentation.

Serious infractions of this Code of Conduct could lead to other sanctions as deemed appropriate by the Council, or Commission, including but not limited to a referral to the City Ethics Committee pursuant to Section 2-390 of the City Code.

Section 13. Implementation.

This Code of Conduct is intended to be self-enforcing and is an expression of the standards of conduct for members expected by the City. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, this document shall be included in the regular orientations for all candidates for City Council, appointed members to all Commissions, and all newly elected and appointed officials. Members entering office shall sign a statement acknowledging they have read and understand this Code of Conduct.

Date:	
Signed	:



CITY OF GREEN BAY, WISCONSIN CODE OF CONDUCT FOR ELECTED OFFICIALS

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CODE OF CONDUCT FOR ELECTED OFFICIALS

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SECTION 1: The City of Green Bay Code of Conduct

It is the policy of the City of Green Bay to uphold, promote, and demand the highest standards of ethics from its elected officials. Accordingly, members of the Common Council and Mayor shall maintain the utmost standards of personal integrity, trustfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants, comply with all applicable laws, and never use their City position or authority improperly or for personal gain.

The City of Green Bay and its elected officials share a commitment to ethical conduct and service to the City of Green Bay. This Code has been created to ensure that all officials have clear guidelines for carrying out their responsibilities in their relationships with each other, with the City staff, with the citizens of Green Bay, and with all other private and governmental entities.

SECTION 2: Elected Official Conduct with One Another

The Common Council and Mayor (hereinafter the "Council") have a responsibility to set the policies for the City. In doing so, certain types of conduct are beneficial while others are destructive. The Council has the responsibility to take the high road on Intra-Council conduct and to treat other Council members as they would like to be treated.

The Council is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all choose to serve in public office and, therefore, have the obligation to preserve and protect the well-being of the community and its citizens. In all cases, this common goal should be acknowledged, and the Council must recognize that certain behavior is counterproductive, while other behavior will lead to success.

A. Use Formal Titles

The Council shall try to refer to one another formally during public meetings as Mayor, Council President, or Alderperson followed by the individual's last name.

B. Use Civility and Decorum in Discussions and Debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of free democracy in action. Every Council member has the right to an individual opinion, which should be respected by the other Council members. Council members shall not be hostile, degrading, or defamatory when debating a contentious issue. Council members should assume the other members of the Council have the appropriate motives and interest of the public in mind and should not criticize differing opinions because they believe them to be lacking in judgment or improperly motivated.

However, this does not allow Council members to make belligerent, impertinent, slanderous, threatening, abusive, or personally disparaging comments in public meetings or during individual

encounters. Shouting or physical actions that could be construed as threatening or demeaning will not be accepted. If a Council member is personally offended by the remarks of another Council member, the offended member should make a note of the actual words used and call for a "point of personal privilege" that challenges the other Council member to justify or apologize for the language used.

C. Honor the Role of the Chair in Maintaining Order

It is the responsibility of the Mayor, as Chair of the Council, to keep the comments of Council members on track during Council meetings. Council members should honor efforts by the Mayor to focus discussion on current agenda items. If there is disagreement about the agenda or the Mayor's actions, those objections should be voiced politely and with reason, following commonly recognized parliamentary procedure. Likewise, the same responsibilities vested in the Mayor for Council meetings, are vested in the Committee Chair for Committee meetings.

SECTION 3: Elected Official Conduct with City Staff

Governance of the City relies on the cooperative efforts of elected officials who set policy and the City staff who implement and administer the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each other for the good of the community.

A. Treat all Staff as Professionals

Council members should treat all staff as professionals. Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior toward staff is not acceptable. Council members should refer to staff by their title followed by the individual's last name in public meetings when first introduced.

B. Never Publicly Demean or Personally Attack an Individual Employee

Council members shall never demean or personally attack an employee regarding the employee's job performance in public. All employee performance issues shall be forwarded to the employee's supervisor or the City Attorney through private correspondence or conversation.

C. Do not Supersede Administrative Authority

Unless otherwise provided in this Code, neither the Council, nor any of its members, shall attempt to supersede the administration's powers and duties. Neither the Council nor any member thereof shall give orders to any subordinate of the Department Heads, either publicly or privately. Council members shall not attempt to unethically influence or coerce City staff concerning either their actions or recommendations to Council about personnel, purchasing, awarding contracts, selection of consultants, processing of development applications, or the granting of City licenses and permits.

Nothing in this section shall be construed, however, as prohibiting the Council while in open session from fully and freely discussing with or suggesting to the Department Heads anything pertaining to City affairs or the interests of the City.

D. Do not Solicit Political Support from Staff

Council members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, collection of petition signatures, etc.) from City staff. City staff may, as private citizens within their constitutional rights, support political candidates, but all such activities must be done away from the workplace. Photographs of uniformed City employees shall not be used in political ads.

SECTION 4: Elected Official Conduct Towards the Public

In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice, or disrespect should be evident on the part of individual Council members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony. The Council members are expected to demonstrate, both publicly and privately, their honesty and integrity, and to be an example of appropriate and ethical conduct. All Council members should convey to the public their respect and appreciation for the public's participation, input, and opinions.

A. Be welcoming to Speakers and Treat them with Care and Respect

For many citizens, speaking in front of Council is a new and difficult experience. Under such circumstances, many are nervous. Council members are expected to treat citizens with care and respect during public hearings. Council members should commit full attention to the speakers or any materials relevant to the topic at hand. Comments and non-verbal expressions should be appropriate, respectful, and professional.

B. Be Fair and Equitable in Allocating Public Hearing Time to Individual Speakers

The Mayor will determine and announce time limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated five minutes, with applicants and appellants or their designated representative allowed more time. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

Each speaker may only speak once during the public hearing unless the Council requests additional clarification later in the process. After the close of the public hearing, no additional public testimony will be accepted unless the Council reopens the public hearing for a limited and specific purpose.

C. Ask for Clarification, but Avoid Debate and Argument with the Public

Only the Mayor, not other Council members, should interrupt a speaker during a presentation. However, other Council members may ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Council member finds disturbing. Questions directed by Council members to members of the public testifying should seek to clarify or expand information, not to criticize or debate.

D. Follow Parliamentary Procedure in Conducting Public Meetings

The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Mayor or Committee Chair, subject to the appeal of the full Council or Committee per Roberts Rules of Order. [GBMC 2.06(1)]

Outside Public Meetings

E. Make no Promise on Behalf of the City or Council in Unofficial Settings.

Council members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. Overt or implicit promises of specific Council action or promises that City staff will take some specific actions shall be avoided.

Council members must ensure that in expressing their own opinions they do not mislead any listener into believing that their individual opinion is that of the entire Council, unless the Council has taken a vote on that issue and the Council member's opinion is the same as the decision made by the Council. Likewise, no Council member should state in writing that Council member's position in a way that implies it is the position of the entire City Council. A Council member has the right to state a personal opinion, and has the right to indicate that he/she is stating such as a member of the Council, but must always clarify that he/she is not speaking on behalf of the City or the Council unless authorized by the Council to do so.

SECTION 5: Elected Official Conduct with Public Agencies

A. Be Clear about Representing the City or Personal Interests

If a Council member appears before another governmental agency or organization to give a statement on an issue, the Council member must clearly state whether his or her statement reflects personal opinion or is the official stance of the City.

Council members must inform the Council of their involvement in an outside organization if that organization is or may become involved in any issue within the City's jurisdiction. If an individual Council member publicly represents or speaks on behalf of another organization whose position differs from the City's official position on any issue, the Council member must clearly communicate the organization upon whose behalf they are speaking and must withdraw from voting as a Council member upon any action that has bearing upon the conflicting issue.

B. Representation of the City on Intergovernmental Commissions and Other Outside Entities Council members serving on committees or boards as a City representative for outside entities or agencies shall properly communicate with other Council members on issues pertinent to the City.

SECTION 6: Elected Official Conduct with Boards and Commissions

A. <u>Limit Contact with Board and Commission Members to Questions of Clarification</u>
Council members shall not contact a Board or Commission member to lobby on behalf of an individual, business, or developer for personal gain. Council members may contact Board or Commission members in order to clarify a position taken by the Board or Commission or a member thereof. Council members may respond to inquiries from Board and Commission members. Communications should be for information only.

B. Attendance at Board or Commission Meetings

Council members may attend any Board or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation is viewed, especially if it is on behalf of an individual, business, or developer, which could be perceived as unfairly affecting the process.

C. Be respectful of Diverse Opinions

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council members must be fair and respectful to all citizens serving on Boards and Commissions.

SECTION 7: Elected Official Conduct with the Media

A. Expression of Positions on Issue

When communicating with the media, Council members should clearly differentiate between personal opinions and the official position of the City. Each Council member represents one vote of twelve and until a vote on any issue is taken, Council members' positions are merely their own.

B. Discussions Regarding City Staff

Council members should not discuss personnel issues or other matters regarding individual City staff in the media. Any issues pertaining to City staff should only be addressed directly to the Department Head or City Attorney.

SECTION 8: Enforcement of this Code of Conduct

A. Filing of Complaints

Any person who believes a Elected official, in his/her official capacity, has violated a requirement, prohibition, or guideline set out herein may file a sworn complaint with the City Clerk identifying (1) the complainant's name, address and contact information; (2) the name and position of the City official who is the subject of the complaint; (3) the nature of the alleged violation, including the specific provision of the Code allegedly violated, and (4) a statement of facts constituting the alleged violation and the dates on which, or period of time during which, the alleged violation occurred.

Attached to the complaint the person making the complaint shall provide all documents or other materials in the complainant's possession that are relevant to the allegation, a list of all documents or other materials relevant to the allegation that are available to the complainant but not in the complainant's possession, and a list of all other documents or other materials relevant to the allegation but unavailable to the complainant, including the location of the documents if known, and a list of witnesses, what they may know, and information to contact those witnesses.

The complaint shall include an affidavit at the end of the complaint stating that the "information contained in the complaint is true and correct, or that the complainant has good reason to believe and does believe that the facts alleged are true and correct and that they constitute a violation of the Code." If the complaint is based on information and belief, the complaint shall identify the basis of the information and belief, including all sources, contact information for those sources, and how and when the information and/or belief was conveyed to the complainant by those sources. The complainant shall swear to the facts by oath before a notary public, or before the City Clerk. The notary public or City Clerk shall verify the signature.

If a complaint filing is determined to be complete by the City Clerk, the City Clerk shall forward the matter to the Ethics Board. If the complaint filing is determined incomplete, the City Clerk shall notify the complainant of the deficiency.

B. Time for Filing

A complaint under the Code must be filed no later than one year from the date of discovery of the alleged violation. However, anyone having information on which a complaint is based is encouraged to file the complaint as soon as the information is obtained so that immediate action may be taken by the Council or the appropriate staff member or agency. The delay in filing a complaint may be considered in determining the sanction to be imposed.

C. False or Frivolous Complaints

A person who knowingly makes a false, misleading, or unsubstantiated statement in a complaint is subject to criminal prosecution for perjury and possible civil liability. If, after reviewing a complaint, it is determined that a sworn complaint is groundless and appears to have been filed in bad faith or for the purpose of harassment, or that intentionally false or malicious information has been provided under penalty of perjury. A City official who seeks to take civil action regarding any such complaint shall do so at his or her expense.

D. Complaint Procedure

(1) Hearing on Complaint- If the City Clerk determines that the complaint is complete he/she shall forward it to the Ethics Board to set a hearing to investigate the allegations within 45 days after filing of the complaint. The Ethics Board shall issue a summons signed by the City Clerk, commanding the individual so complained of to appear before the Ethics Board on a day and at a place named in such summons and show cause as to why the individual should not be subject to penalties and sanctions. Such summons shall be served at least seven days before the time in

- which such person is commanded to appear, and shall include the complaint and any supporting documentation.
- (2) <u>Failure to Respond to Summons</u>- If the individual charged does not appear as required by the summons, the Ethics Board may consider such failure to appear in its recommendation to Council. The Council may subsequently consider such failure to appear in its decision to issue penalties or sanctions.
- (3) <u>Parties Counsel</u>- If the person charged appears as required by the summons and denies the complaint; both the complainant and the person charged may produce witnesses, cross-examine witnesses, and be represented by counsel. The person charged shall be provided a written transcript of the hearing at his or her expense.
- (4) Recommendations- At the conclusion of the evidentiary hearing, the Ethics Board, following deliberation in open or executive session, shall submit a report to the Council, including findings of fact, conclusions of law, and a recommendation as to what action, if any, the Council should take into account with respect to the individual charged. The Ethics Board shall provide the complainant and the individual charged with a copy of the report. Either the complainant or the person charged may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the Council.
- (5) Council Action- The Council shall determine whether the arguments shall be presented orally, in writing, or both. The Council shall consider and take action on the recommendation of the Ethics Board within 60 days after the Ethics Board adjourns the hearing. Upon review of the report and following a discussion, if the Council, by motion, concludes that there is a violation of the Code, the Council may impose a sanction or penalty. The Council may adopt, reject, or modify the recommendation made by the Ethics Board. In resolving the complaint, the totality of the circumstances shall be taken into consideration, including the intent of the person accused of the wrongdoing.
- (6) Penalties and Sanctions Policy It is the intent of the Council to educate and, when necessary, discipline Council members who violate this Code. Discipline shall be progressive, from the least punitive to the most punitive measures, unless the Council believes that the progressive discipline does not provide the appropriate sanction because of the gravity of the offense, or because the Council does not believe the sanction would deter future misconduct. In all instances, the totality of the circumstances shall be taken into consideration in resolving the matter, including the intent of the one accused of wrongdoing.
- (7) Possible Penalties and Sanctions- Possible sanctions may include:
 - a. An informal censure by the Council, which would only be made as part of a motion in a public meeting. [GBMC 2.06(1)]
 - b. A formal censure by the Council, which would be made by motion in a public meeting and then published in the City newspaper. [GBMC 2.06(1)]
 - c. Mandatory community service. [Wis. Stat. 62.11(3)(e)]
 - d. Attendance at counseling or mediation sessions. [Wis. Stat. 62.11(3)(e)]
 - e. Imposition of a dollar fine of up to \$500.00. [Wis. Stat. 62.11(3)(a) & (c)]

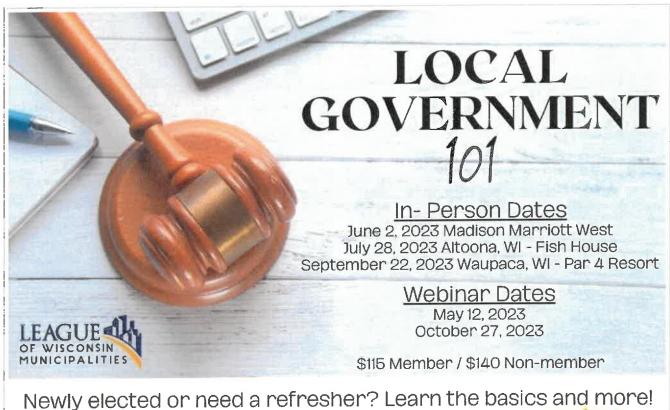
f. Any other sanction available by law.

The imposition of any of these penalties or sanctions will require an affirmative vote of 3/4 of the Council, other than an informal or formal censure which shall only require a majority vote of the Council. A violation of the penalties imposed by Council may constitute grounds for removal from office under Wisconsin Statute §17.12(1)(a).

(8) Notice- The municipal clerk shall give notice of the Council's decision to the person charged.



Local Government 101



Register

Today!

- Organization & Powers of Cities and Villages
- Recognizing and Avoiding Conflicts of Interest
- Budgeting and Financial Oversight
- Procedures for Local Government Meetings
- Public Works for Elected Officials

For more info, visit https://www.lwm-info.org

This program is offered both in person and as a webinar.

Special Invitation from Jerry Deschane:

League of Wisconsin Municipalities Executive Director, Jerry Deschane invites **YOU** to attend Local Government 101! (<u>link to video via YouTube</u>)

2023 In Person Offerings:

Join us in one of our member municipalities close to you for some networking and important basics you need to do your job. You'll learn about city and village powers including municipal home rule, hear about how to recognize and avoid conflicts of interest, go home with a quick tutorial on municipal budgeting as well as how to run a meeting and finish with an overview on managing public works projects.

June 2, 2023 Madison Marriott West

July 28, 2023 Altoona, WI - Fish House (Part of Parks & Recreation)

September 22, 2023 Waupaca, WI - Par 4 Resort

In Person Registration

\$115 Member / \$140 Non-member

In Person Registration (Pay by Credit Card)

In Person Invoice Registration

(Invoiced to You)

<u>ln</u>	Person	<u>Agenda</u>	(PDF)		

2023 Webinar Offerings:

May 12, 2023

October 27, 2023

Take one, take parts, take all. Participants who opt for the online webinar version have the option to take the course all in one day or mix and match the four different modules during either of our offered webinar dates over a 12 month period following their registration. In addition to the online training, participants will have the option of receiving a hard copy workbook or a USB version. The cost of the program is \$115 per person.

Webinar Registration

\$115-All online & may attend any LG 101 Webinar(s)

Webinar Registration

(Pay by Credit Card)

Webinar Invoice Registration

(Invoiced to You)

Webinar Agenda (PDF)

The League's 1-day workshop provides a basic framework for governing to both new city and village officials and those who want to brush up on their knowledge of local governance.

You'll learn about city and village powers including municipal home rule, hear about how to recognize and avoid conflicts of interest, go home with a quick tutorial on municipal budgeting as well as how to run a meeting and finish with an overview on managing public works projects. In addition, you'll have that age-old question answered: "what is a walking quorum anyway?"

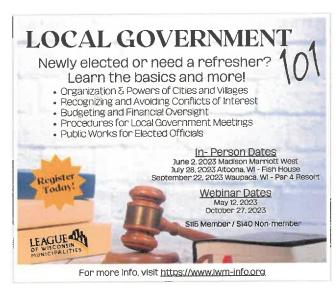
Attendee Care for League of WI Municipalities In-Person Events

Attendees please review this PDF

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Take any photos of this event? The League is collecting photos for future use, please Kristin Mickelson with any photos you would like to share.

2023 Local Government 101

Agenda

In Person and Webinar

May 12, 2023, Webinar

June 2, 2023 Madison Marriott West, Madison, WI

July 28, 2023 Altoona Fish House, Altoona, WI

September 22, 2023 Par 4 Resort, Waupaca, WI

October 27, 2023, Webinar

9:00 a.m. - 10:45 a.m. Welcome

 $From\ League\ of\ Wisconsin\ Municipalities$: Jerry Deschane, Executive Director $or\ Elizabeth\ Yanke$, Member Services Director

Organization & Powers of Cities and Villages; Recognizing and Avoiding Conflicts of Interest

 $From\ League\ of\ Wisconsin\ Municipalities:\ Claire\ Silverman,\ Legal\ Counsel\ and/or\ Maria\ Davis,\ Assistant\ Legal\ Counsel$

11:00 a.m. - 12:15 p.m.

Budgeting & Financial Basics

From Ehlers, Inc.: Harry Allen, Associate Municipal Advisor; Jon Cameron, Senior Municipal Advisor; David Ferris, Senior Municipal Advisor; Greg Johnson, Senior Municipal Advisor; Sean Lentz, Senior Municipal Advisor; Joshua Low, Senior Financial Specialist; Joe Murray, Senior Municipal Advisor; Brian Reilly, Senior Municipal Advisor; Brian Roemer, Municipal Advisor; Todd Taves, Senior Municipal Advisor or Lisa Trebatoski, Associate Municipal Advisor

Lunch: 12:15-1:15 p.m.

1:15 p.m. - 2:30 p.m.

Procedures for Local Government Meetings

Daniel Foth, Local Government Specialist, Local Government Education, UW-Madison Extension

2:45 p.m. - 4:00 p.m. Public

Works for Elected Officials

Ben Jordan, Program Director, Engineering Professional Development, UW-Madison

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